



PTO/SB/01A (08-03)

Approved for use through 06/30/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Title of Invention **METHODS AND COMPOSITIONS FOR MODULATING APOPTOSIS**

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or
- ☒ Application No. 10/783,391, filed on 02/20/2004,
- ☐ as amended on _____ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/ we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application.

All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)

Inventor one: Pedro Aza-Blanc

Signature: [Signature]

Citizen of: Spain

Inventor two: Michael P. Cooke

Signature: [Signature]

Citizen of: US

Inventor three: Quinn L. Deveraux

Signature: [Signature]

Citizen of: US

Inventor four: Christopher L. Cooper

Signature: _____

Citizen of: US

☐ Additional inventors or a legal representative are being named on _____ additional form(s) attached hereto.

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PTO/SB/01A (08-03)

Approved for use through 06/30/2006. OMB 0851-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)**Title of Invention** **METHODS AND COMPOSITIONS FOR MODULATING APOPTOSIS**

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or
- ☒ Application No. 10/783,391, filed on 02/20/2004.
- ☐ as amended on _____ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/ we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application.

All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)Inventor one: Pedro Aza-Blanc

Signature: _____

Citizen of: SpainInventor two: Michael P. Cooke

Signature: _____

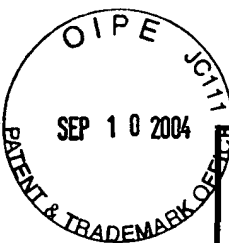
Citizen of: USInventor three: Quinn L. Devereaux

Signature: _____

Citizen of: USInventor four: Christopher L. CooperSignature: Citizen of: US☐ Additional inventors or a legal representative are being named on _____ additional form(s) attached hereto.

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/96 (08-03)
Approved for use through 07/31/2006, OMB 0851-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Pedro Aza-Blanc, Michael P. Cooke, Quinn L. Deveraux, and Christopher L. Cooper

Application No./Patent No.: 10/783,391

Filed/Issue Date: 02/20/2004

Entitled: Methods and Compositions for Modulating Apoptosis

IRM LLC

a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title, and interest

The extent (by percentage) of its ownership interest is _____ %
in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☐ Copies of assignments or other documents in the chain of title are attached.

(NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8)

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

9/10/04
Date

858-812-1547

Telephone Number

Timothy L. Smith

Typed or printed name

[Signature]
Signature

General Power of Attorney

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

U.S. Patent Application No. 10/783,391
Inventors: Pedro Aza-Blanc, et al.
Docket No. P1111US10

**ASSIGNMENT****COPY**

In return for good and valuable consideration paid to the undersigned inventor(s) (hereafter called the "ASSIGNOR"), by:

IRM, LLC.
c/o Sofia House
48 Church Street
Hamilton HM LX, Bermuda

(hereinafter ASSIGNEE), the receipt of which is hereby acknowledged, the undersigned ASSIGNOR(s) hereby sells, assigns and transfers to ASSIGNEE his entire right, title and interest to the invention entitled:

METHODS AND COMPOSITIONS FOR MODULATING APOPTOSIS

For which application for Letters Patent of the United States was filed on February 20, 2004 as Application No. 10/783,391 and all Letters Patent of the United States to be obtained therefor on said application or any continuation, divisional, substitute, reissue or reexamination, or foreign counterpart thereof for the full term or terms for which the same may be granted.

The ASSIGNOR(s) agrees to execute all papers necessary in connection with the application and any continuation, divisional, substitute, reissue or reexamination applications thereof or corresponding foreign applications, and also to execute separate assignments in connection with such applications as the ASSIGNEE may deem necessary or expedient and perform any act which may be necessary in connection with claims or provisions of the International Convention for Protection of Industrial Property or similar agreements.

The ASSIGNOR(s) agrees to execute all papers necessary in connection with any interference, litigation, or other legal proceeding, which may be declared concerning this application or any continuation, divisional, substitute, reissue or reexamination thereof, or corresponding foreign applications, and also to cooperate with the ASSIGNEE in every way possible in obtaining evidence and going forward with such interference, litigation, or other legal proceeding.

The ASSIGNOR(s) agree to perform all affirmative acts which may be necessary to obtain a grant of valid United States or foreign patents to the Assignee.

The ASSIGNOR(s) hereby authorizes and requests the Commissioner of Patents and the authorities of foreign country to issue any and all Letters Patents resulting from said application or any continuation, divisional, substitute, reissue or reexamine applications thereof, or foreign applications, to the said ASSIGNEE, as assigned of the entire interest, and hereby covenants that

U.S. Patent Application No. 10/783,391

Inventors: Pedro Aza-Blanc, et al.

Docket No. P1111US10

it has full right to convey the entire interest herein assigned, and that they have not executed and will not execute, any agreement in conflict herewith.

The ASSIGNOR(s) hereby grant SCOTT W. REID. Reg. No. 48,097, HUGH WANG Reg. No. 47,163, TIMOTHY L. SMITH Reg. No. 35,367, and all other attorneys employed by The Genomics Institute of the Novartis Research Foundation, which has a business address of 10675 John Jay Hopkins Drive, San Diego, CA 92121, the power to insert on this assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

WITNESS my hand at San Diego, California, this 9th day of July, 2004.


Pedro Aza-Blanc

STATE OF CALIFORNIA)

ss.

COUNTY OF SAN DIEGO)

On July 9, 2004, before me, the undersigned Notary Public, personally appeared Pedro Aza-Blanc.

 personally known to me

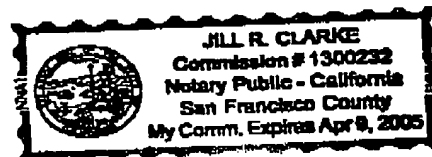
or

 proved to me on the basis of satisfactory evidence

to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon before of which the person acts, executed the instrument.

WITNESS my hand and official seal.

Jill R. Clarke
Notary Public



U.S. Patent Application No. 10/783,391
Inventors: Pedro Aza-Blanc, et al.
Docket No. P1111US10

WITNESS my hand at San Diego, California, this 20th day of August, 2004.



Michael P. Cooke

STATE OF CALIFORNIA)

) ss.

COUNTY OF SAN DIEGO)

On Aug. 20, 2004, before me, the undersigned Notary Public, personally appeared Michael P. Cooke.

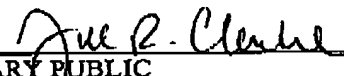
 personally known to me

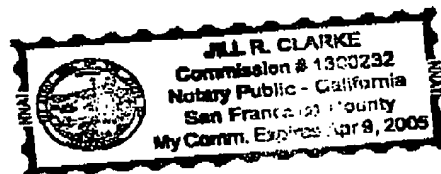
or

proved to me on the basis of satisfactory evidence

to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon before of which the person acts, executed the instrument.

WITNESS my hand and official seal.


NOTARY PUBLIC



U.S. Patent Application No. 10/783,391
Inventors: Pedro Aza-Blanc, et al.
Docket No. P1111US10

WITNESS my hand at San Diego, California, this 12th day of August, 2004.


Quinn L. Deveraux

STATE OF CALIFORNIA)

) ss.

COUNTY OF SAN DIEGO)

On August 12, 2004, before me, the undersigned Notary Public, personally appeared Quinn L. Deveraux.

✓ personally known to me

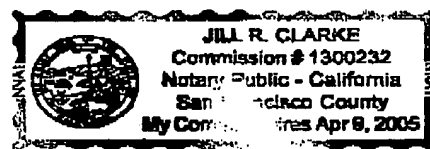
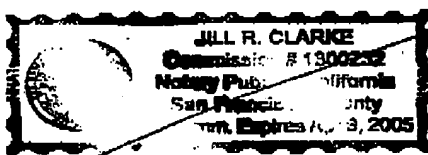
or

 proved to me on the basis of satisfactory evidence

to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon before of which the person acts, executed the instrument.

WITNESS my hand and official seal.

Jill R. Clarke
NOTARY PUBLIC



U.S. Patent Application No. 10/783,391
Inventors: Pedro Aza-Blanc, et al.
Docket No. P1111US10

WITNESS my hand at Christopher Cooper, this 31 day of August, 2004.


Christopher L. Cooper

STATE OF CALIFORNIA)

) ss.

COUNTY OF SAN DIEGO)

On _____, 2004, before me, the undersigned Notary Public, personally appeared Christopher L. Cooper.

_____ personally known to me

or

_____ proved to me on the basis of satisfactory evidence

to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon before of which the person acts, executed the instrument.

WITNESS my hand and official seal.

NOTARY PUBLIC

BEST AVAILABLE COPY

POWER OF ATTORNEY

COPY

KNOW ALL PERSONS BY THESE PRESENTS:

That IRM LLC, a limited liability company organized under the laws of Delaware ("IRM"), does hereby make, constitute and appoint TIMOTHY L. SMITH, Reg. No. 35,367, of the GENOMICS INSTITUTE OF THE NOVARTIS RESEARCH FOUNDATION ("GNF"), dba the NOVARTIS INSTITUTE FOR FUNCTIONAL GENOMICS, Inc. ("NIFG"), 10675 John Jay Hopkins Drive, Suite E225, San Diego, CA 92121, its true and lawful attorney, for it and in its name, place and stead, with full power of substitution to represent and act for it in all matters pertaining to the filing and prosecution of patent applications in the United States and internationally, and in general to do all things and to perform on the part of IRM all acts as such attorney determines are necessary or advisable, including, without limitation, the appointment of attorneys to file and prosecute a patent application, signing a reply to an Office action, requesting a continued prosecution application, acquiescing to express abandonment of an application, signing of a terminal disclaimer, consenting to the filing of a reissue application, consenting to correction of inventorship, signing an issue fee transmittal, and signing all other documents, agreements, assignments, and instruments required, contemplated by or deemed advisable in connection with this Power of Attorney, and otherwise to act for and in the name of IRM and in its behalf with respect to the transactions described herein fully as if the duly authorized officers of IRM were then personally present and acting.

IRM hereby ratifies and confirms all that said attorneys or their substitutes shall lawfully do, or cause to be done, by virtue hereof.

IN WITNESS WHEREOF, IRM has caused this Power of Attorney to be signed by its officer thereunto duly authorized this 15 day of ~~March~~ ^{April}, 2003

IRM LLC

By:

Name : B. Aebischer

J. Reinhardt

Title: Secretary

President

BEST AVAILABLE COPY